

### **160.700 Definitions related to KRS 160.700 to 160.730.**

As used in this chapter, unless the context otherwise requires:

- (1) "Directory information" means the student's name, address, telephone listing, date and place of birth, participation in school recognized sports and activities, height and weight of members of athletic teams, dates of attendance, awards received, major field of study, and the most recent previous educational agency or institution attended by the student, contained in education records in the custody of the public schools;
- (2) "Educational institution" means any public school providing an elementary and secondary education, including vocational;
- (3) "Education record" means data and information directly relating to a student that is collected or maintained by educational institutions or by a person acting for an institution including academic records and portfolios; achievement tests; aptitude scores; teacher and counselor evaluations; health and personal data; behavioral and psychological evaluations; and directory data recorded in any medium including handwriting, magnetic tapes, film, video, microfiche, computer-generated and stored data, or data otherwise maintained and used by the educational institution or a person acting for an institution. "Education record" shall not include:
  - (a) Records of instructional, supervisory, and assisting administrative personnel which are in the sole possession of the maker and are not accessible or revealed to any other person except a substitute for any of those persons;
  - (b) Records maintained by a law enforcement unit of the educational institution that were created by that law enforcement unit for the purpose of law enforcement;
  - (c) In the case of persons who are employed by an educational agency or institution but who are not in attendance at that agency or institution, records made and maintained in the normal course of business which relate exclusively to that person in the person's capacity as an employee and are not available for use for any other purpose; or
  - (d) Records on a student who is eighteen (18) years of age or older, which are made, used, or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional for treatment of the student, and are not available to anyone other than persons providing this treatment, except a physician or other appropriate professional of the student's choice.
- (4) "Eligible student" means a student, or a former student, who has reached the age of eighteen (18) or is pursuing an education beyond high school and therefore the permission or consent required of, and the rights accorded to the parents of the student shall thereafter be required of, and accorded to the student;
- (5) "School official" means personnel employed in instructive and administrative positions with a school board or educational institution. Parents and other noneducational persons who are elected or appointed to school-based decision making councils or committees thereof, or other voluntary boards or committees shall not be considered school officials.

**Effective:** July 15, 1994

**History:** Created 1994 Ky. Acts ch. 98, sec. 1, effective July 15, 1994.